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HIGH COURT OF CHHATTISGARH AT BILASPUR
Writ Petition (C) No. 6861 of 2007

PETITIONER : Nand Kumar Dewangan, aged about 47 years S/o Manohar Lal Dewangan R/o Dewangan Mohalla Rani Road Ward No. 8 Champa Tahsil Champa District Janjgi-Champa (CG).

VERSUS

RESPONDENTS :
1. State of Chhattisgarh through the Secretary Department of Home, DKS Bhawan, Raipur (CG).
2. Superintendent of Police, Janjgir Champa District Janjgir Champa (CG).
3. Station House Officer Police Station Champa District Janjgir Champa (CG).
4. Dr. Kurunji Venkataraman Gowda KVG Medical College and Hospital Sulia (South Karnataka) Pin 574327.

(WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)

(SB: Hon'ble Mr. Satish K. Agnihotri, J.)

Present : Shri Vishnu Koshta, Advocate for the petitioner.
Shri Sumesh Bajaj, Govt. Advocate for the State.

ORAL ORDER
(Passed on this 17th of November, 2007)

1. The petitioner has filed this petition complaining that respondent No. 2 & 3 are not registering offence against the respondent No. 4 despite a written complaint dated 10.08.2007 lodged with the Police Station Champa.

2. I do not find any reason to entertain this petition on the simple ground that Section 154 (3) of The Code of Criminal Procedure, 1973 (hereinafter refered to as "Cr.P.C.") clearly provides that in the event, the officer-in-charge of the police station refuses to record the First Information Report, the petitioner may send the complaint to the Superintendent of Police concerned, by post. Even, thereafter, if police fails to take any action, the petitioner can take recourse to provisions of Section 190 & 200 of Cr.P.C.

3. In view of foregoing, it appears that the petitioner has approached the Police Station for lodging a report on 10.08.2007, thereafter, the petitioner has

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sent a letter dated 20.09.2007 to the Superintendent of Police, as well as to the Station House Officer Champa, but nothing has been done.

4. The petitioner can take recourse to other forums which are available under provisions of Cr.P.C.

5. In view of the foregoing, this petition is dismissed. No order asto costs.

Sd/-
Satish K. Agnihotri
Judge

Sahu